



October 29, 1999

Lieutenant Brad Lancaster  
Amarillo Police department  
200 East 3<sup>rd</sup>  
Amarillo, Texas 79101-1514

OR99-3048

Dear Lieutenant Lancaster:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 130479.

The Amarillo Police Department (the “department”) received a request for “the records on” three named individuals. You claim that the information requested is excepted from disclosure under sections 552.101 and 552.108 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

Section 552.101 excepts from disclosure “information considered to be confidential by law, either constitutional, statutory, or by judicial decision.” When an individual’s criminal history information has been compiled by a governmental entity, the information takes on a character that implicates the individual’s right to privacy. *See United States Dep’t of Justice v. Reporters Comm. for Freedom of the Press*, 489 U.S. 749 (1989). In this case, the requestor asks for all the records of three named individuals. We believe that such a request implicates those individuals’ right to privacy. Thus, to the extent that the department has records in which any of the named individuals is a possible suspect, we conclude that the department must withhold this information under section 552.101 of the Government Code. *See id.*

As section 552.101 requires withholding the requested information, we do not address your claim under section 552.108. We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular

records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "Patricia Michels Anderson". The signature is fluid and cursive, with the first name "Patricia" being the most prominent.

Patricia Michels Anderson  
Assistant Attorney General  
Open Records Division

PMA/jc

Ref: ID# 130479

Encl. Submitted documents

cc: Ms. Michele A. Martinez  
Assistant Coordinator  
P. O. Box 2131  
Roswell, New Mexico 88202  
(w/o enclosures)